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| EXAMINER | |
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| RAMOS, JAVIER J | |
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

usptocorrespondence@austin-rapp.com

| Office Action Summary | Application No. | Applicant(s) | |
|---|---|---|---|
| | 10/787,365 | FERLITSCH, ANDREW R. | |
| | Examiner | Art Unit | |
| | JAVIER J. RAMOS | 2625 | |

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)☒ Responsive to communication(s) filed on *04 November 2010*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4)☒ Claim(s) *1-4,6-11,13-21 and 23-30* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-4,6-11,13-21 and 23-30* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

## DETAILED ACTION

### *Response to Amendment*

1. Claims 1-4, 6-11, 13-21 and 23-30 are pending in this application.

2. Claims 1, 8-11, 17 and 28 have been amended; and claims 29 and 30 have been added [11/4/10].

### *Continued Examination Under 37 CFR 1.114*

3. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 11/4/10 has been entered.

### *Claim Rejections - 35 USC § 103*

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

**5. Claims 1-3, 6, 11, 14-20, 23 and 25-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mukai (US 6,466,329 B1) in view of Takahashi et al. (US 6,424,429 B1).**

6. In regards to claims 1 and 17, Mukai teaches a method **(Figs. 2, 3 and 5)** and a computer-readable medium for storing program data **(Fig. 1)**, wherein the program data comprises executable instructions for implementing a method in a computing device **(Figs. 2, 3 and 5, the method is enacted by various hardware modules that are governed by executable code)** for providing page description language ("PDL") encapsulated image data from an imaging device **(Fig. 1, Objects 1, 22 and 85; Col. 8, Lines 14-37; Col. 9, Lines 8-20)** that includes a scanner **(Fig. 1, Object 400, digital scanner; Col. 8, Lines 38-46)**, the method comprising: scanning an image using the scanner to produce scanned image data as part of a scan job **(Fig. 1, Object 400, digital scanner obtaining a scanned image; Col. 8, Lines 38-46)**; obtaining document formatting inputs for the scan job from a user interface, the document formatting inputs being configurable at the user interface **(Fig. 1, Object 500, operator control panel; Col. 9, Lines 31-44, formatting inputs related to the document inputted by a user utilizing the control panel)**; encapsulating the scanned image data in a page description language using the document formatting inputs for document formatting **(Col. 8, Lines 14-37; Col. 9, Lines 31-44; formatting inputs are placed onto the scanned document which is then converted into PDL format therefore retaining the attributes of the formatting inputs)**, wherein the encapsulating occurs at the imaging device **(Fig. 1, Objects 1, 22 and 85; Col. 8, Lines 14-37, the printer controller controls the transformation of the image data into PDL data; Col. 9, Lines 8-20)**, wherein the scanned image data is encapsulated initially according to

properties determined by the scanner **(Fig. 1, Object 400, digital scanner obtaining a scanned image; Col. 8, Lines 38-46, the input hardcopy image is "encapsulated" into digital data)**, and wherein properties of the page description language of the scanned image data are modified in accordance with the document formatting inputs and wherein the formatting inputs control how the scanned image data is framed into a document defined by the page description language **(Col. 9, Lines 31-44, formatting inputs are placed onto the encapsulated scanned document which is then finally encapsulated into a PDL, namely the enlargement/reduction attribute will affect how the image data is framed into the document)**; and transmitting the page description language to a computing device from the imaging device **(Fig. 1, Object 600, network interface; Col. 7, Lines 19-22, the PDL based image data is transferred to a database server; Col. 9, Lines 31-35)**, wherein the page description language that is transmitted indicates the document formatting inputs for document formatting **(Col. 8, Lines 14-37; Col. 9, Lines 31-44; formatting inputs are placed onto the scanned document which is then converted into PDL format therefore retaining the attributes of the formatting inputs)**.

It is noted, however, that Mukai does not specifically teach wherein the document formatting inputs comprise copy function options usable with the scan job, the copy function options controlling the page orientation, page margins, and page size of the scan job. Further, Mukai does not specifically teach wherein the page description language that is transmitted indicates the page size, the page margins, and the page orientation of the scanned image data. It is noted, however, that Mukai does teach

wherein the page description language that is transmitted indicates the document formatting inputs for document formatting, as shown above, and therefore would include all applicable settings set by a user in the PDL.

In analogous art, Takahashi teaches obtaining document formatting inputs for the scan job from a user interface, the document formatting inputs being configurable at the user interface **(Figs. 10, 11 and 24)**; wherein document formatting inputs comprise copy function options usable with a scan job, the copy function options controlling page orientation, page margins, and page size of the scan job **(Col. 14, Line 38 to Col. 15, Line 31, margin, size and orientation settings for a copier which performs "scan" jobs by way of using a scanner)**.

Mukai teaches a base method of processing image data from an imaging device upon which the claimed invention can be seen as an improvement. The prior art of Takahashi contains a known technique of adding increased options to allow a user to control the processing of a document, that is applicable to the base method of Mukai. Specifically, Mukai teaches a system that scans an input document into a file **(Col. 9, Lines 21-44)** that can be in PDL format. Mukai even teaches various user controlled operations of the system which are used to format the operation and output of the system **(Col. 9, Lines 21-44)**. Therefore, one of ordinary skill in the art, at the time of the invention, would have recognized that applying the known technique of Takahashi to the method of Mukai would have yielded predictable results and the results would have improved the method of Mukai by expanding user control of the processing of image data by allowing a user to dictate the layout properties of a document to be created

**(Takahashi: Col. 14, Line 38 to Col. 15, Line 31)** and therefore would have allowed the output PDL file to be formatted more extensively. *See* MPEP §§ 2141 & 2143.

7. In regards to claims 2 and 19, Mukai teaches the document formatting inputs are obtained from a control panel on the imaging device **(Fig. 1, Object 500, operator control panel; Col. 9, Lines 36-44)**.

8. In regards to claims 3 and 20, Mukai teaches the document formatting inputs are obtained from a local user interface **(Fig. 1, Object 500, operator control panel; Col. 9, Lines 36-44)**.

9. In regards to claims 6 and 23, Mukai teaches the imaging device is a multi-function peripheral **(Fig. 1, Object 1, digital multi-function peripheral)**.

10. In regards to claim 11, Mukai teaches an imaging device that comprises a scanner **(Fig. 1, Object 400, digital scanner; Col. 8, Lines 38-46)**, wherein the imaging device provides page description language ("PDL") encapsulated image data **(Fig. 1, Objects 1, 22 and 85; Col. 8, Lines 14-37; Col. 9, Lines 8-20)**, the imaging device comprising: a processor for control of the imaging device **(Fig. 1, Objects 200, 300, 700 and 800)**; memory in electronic communication with the processor **(Fig. 1, Object 90)**; a scanner in electronic communication with the processor **(Fig. 1, Object 400, digital scanner; Col. 8, Lines 38-46)**; a control panel for operation of the imaging

device by a user, wherein the control panel is in electronic communication with the processor for receiving user inputs **(Fig. 1, Object 500, operator control panel; Col. 9, Lines 36-44)**; and executable instructions executable by the processor **(Figs. 2, 3 and 5, the method is enacted by various hardware modules that are governed by executable code)**, wherein the instructions are executable to: scan an image using the scanner to produce scanned image data as part of a scan job **(Fig. 1, Object 400, digital scanner; Col. 8, Lines 38-46)**; obtain document formatting inputs for the scan job from the control panel, the document formatting inputs being configurable at the user interface **(Fig. 1, Object 500, operator control panel; Col. 9, Lines 31-44, formatting inputs related to the document inputted by a user utilizing the control panel)**; and encapsulate the scanned image data in a page description language using the document formatting inputs for document formatting **(Col. 8, Lines 14-37; Col. 9, Lines 31-44; formatting inputs are placed onto the scanned document which is then converted into PDL format therefore retaining the attributes of the formatting inputs)**, wherein the encapsulating occurs at the imaging device **(Fig. 1, Objects 1, 22 and 85; Col. 8, Lines 14-37, the printer controller controls the transformation of the image data into PDL data; Col. 9, Lines 8-20)**, wherein the scanned image data is encapsulated initially according to properties determined by the scanner **(Fig. 1, Object 400, digital scanner obtaining a scanned image; Col. 8, Lines 38-46, the input hardcopy image is "encapsulated" into digital data)**, and wherein properties of the page description language of the scanned image data are modified in accordance with the document formatting inputs and wherein the formatting inputs control how the

scanned image data is framed into a document defined by the page description language **(Col. 9, Lines 31-44, formatting inputs are placed onto the encapsulated scanned document which is then finally encapsulated into a PDL, namely the enlargement/reduction attribute will affect how the image data is framed into the document)**, wherein the page description language that is transmitted indicates the document formatting inputs for document formatting **(Col. 8, Lines 14-37; Col. 9, Lines 31-44; formatting inputs are placed onto the scanned document which is then converted into PDL format therefore retaining the attributes of the formatting inputs)**.

It is noted, however, that Mukai does not specifically teach wherein the document formatting inputs comprise copy function options usable with the scan job, the copy function options controlling the page orientation, page margins, and page size of the scan job. Further, Mukai does not specifically teach wherein the page description language that is transmitted indicates the page size, the page margins, and the page orientation of the scanned image data. It is noted, however, that Mukai does teach wherein the page description language that is transmitted indicates the document formatting inputs for document formatting, as shown above, and therefore would include all applicable settings set by a user in the PDL.

In analogous art, Takahashi teaches obtaining document formatting inputs for the scan job from a user interface, the document formatting inputs being configurable at the user interface **(Figs. 10, 11 and 24)**; wherein document formatting inputs comprise copy function options usable with a scan job, the copy function options controlling page

orientation, page margins, and page size of the scan job **(Col. 14, Line 38 to Col. 15, Line 31, margin, size and orientation settings for a copier which performs "scan" jobs by way of using a scanner)**.

Mukai teaches a base method of processing image data from an imaging device upon which the claimed invention can be seen as an improvement. The prior art of Takahashi contains a known technique of adding increased options to allow a user to control the processing of a document, that is applicable to the base method of Mukai. Specifically, Mukai teaches a system that scans an input document into a file **(Col. 9, Lines 21-44)** that can be in PDL format. Mukai even teaches various user controlled operations of the system which are used to format the operation and output of the system **(Col. 9, Lines 21-44)**. Therefore, one of ordinary skill in the art, at the time of the invention, would have recognized that applying the known technique of Takahashi to the method of Mukai would have yielded predictable results and the results would have improved the method of Mukai by expanding user control of the processing of image data by allowing a user to dictate the layout properties of a document to be created **(Takahashi: Col. 14, Line 38 to Col. 15, Line 31)** and therefore would have allowed the output PDL file to be formatted more extensively. *See* MPEP §§ 2141 & 2143.

11. In regards to claims 14 and 25, Mukai teaches the imaging device comprises a multi-function peripheral **(Fig. 1, Object 1, digital multi-function peripheral)**, wherein the document formatting inputs are obtained from a control panel on the multi-function peripheral **(Fig. 1, Object 500, operator control panel; Col. 9, Lines 36-44)** and

wherein the control panel is also used for a user input for a copy function of the multi-function peripheral **(Col. 9, Lines 36-44)**.

12. In regards to claims 15 and 26, Mukai teaches the page description language is a language selected from the group consisting of a portable document format (PDF), postscript (PS), printer control language (PCL), HP GL/2, IBM IPDS, IBM SCS, Epson EscP and DDIF **(Col. 2, Lines 33-42)**.

13. In regards to claims 16 and 27, Mukai teaches the page description language comprises document wide properties, page delimitation properties, page properties and one or more drawing elements **(Col. 2, Lines 33-43; Col. 9, Lines 31-44; the formatting inputs are placed onto the scanned document which is then converted into PDL format therefore retaining the attributes of the formatting inputs)**.

14. In regards to claim 18, Mukai teaches the image data is obtained from a scanner of the imaging device **(Fig. 1, Object 400, digital scanner; Col. 8, Lines 38-46)**.

**15. Claims 4 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mukai (US 6,466,329 B1) in view of Takahashi et al. (US 6,424,429 B1), as applied to claims 1 and 17, further in view of Lavender et al. (US 2002/0114021 A1).**

16. In regards to claims 4 and 21, Mukai, as modified by Takahashi, teaches the document formatting inputs are obtained from a user interface **(Mukai: Fig. 1, Object 500, operator control panel; Col. 9, Lines 36-44)**.

It is noted however, that Mukai, as modified by Takahashi, does not specifically teach the document formatting inputs are obtained from a remote user interface.

In analogous art, Lavender et al. (hereafter Lavender) teaches the document formatting inputs are obtained from a remote user interface **(Fig. 1, Object 22; [0018], scanner computer is a remote user interface that sends parameters to the scanner; [0014])**.

It would have been obvious to one of ordinary skill in the art, at the time of the invention, to modify Mukai, as modified by Takahashi, by receiving document formatting inputs via a remote user interface, as taught by Lavender, in order to allow a user to control the input parameters of the imaging device from a remote location **(Lavender: [0018])**, therefore making the formatting input operation of the imaging device independent of geographic constraints.

**17. Claims 7-10, 13 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mukai (US 6,466,329 B1) in view of Takahashi et al. (US 6,424,429 B1), as applied to claims 1, 11 and 17, further in view of Bonk et al. (US 5,493,634).**

18. In regards to claims 7, 13 and 24, Mukai, as modified by Takahashi, teaches the document formatting inputs comprise a scale input, a placement input, a pagination input, a page delimitation input **(Mukai: Col. 9, Lines 36-44)**.

It is noted however, that Mukai, as modified by Takahashi, does not specifically teach a number of images per page input, a page order input, a document style input, a post collation operations input.

In analogous art, Bonk et al. (hereafter Bonk) teaches a number of images per page input, a page order input, a document style input, a post collation operations input **(Figs. 7 and 13)**.

It would have been obvious to one of ordinary skill in the art, at the time of the invention, to modify Mukai, as modified by Takahashi, by adding additional document formatting inputs, as taught by Bonk, in order to increase the user's control of the final output of the scanned document within the apparatus. Further, both Mukai and Bonk are in the same field of endeavor of printing machines that use PDL based information to print **(Mukai: Fig. 1; Bonk: Figs. 1-3B)**.

19. In regards to claim 8, Mukai teaches the imaging device comprises a multi-function peripheral **(Fig. 1, Object 1, digital multi-function peripheral)**, wherein the document formatting inputs are obtained from a control panel on the multi-function peripheral **(Fig. 1, Object 500, operator control panel; Col. 9, Lines 36-44)** and wherein the control panel is also used for a user input for a copy function of the multi-function peripheral **(Col. 9, Lines 36-44)**.

20. In regards to claim 9, Mukai teaches the page description language is a language selected from the group consisting of a portable document format (PDF), postscript (PS), printer control language (PCL), HP GL/2, IBM IPDS, IBM SCS, Epson EscP and DDIF **(Col. 2, Lines 33-42)**.

21. In regards to claim 10, Mukai teaches the page description language comprises document wide properties, page delimitation properties, page properties and one or more drawing elements **(Col. 2, Lines 33-43; Col. 9, Lines 31-44; the formatting inputs are placed onto the scanned document which is then converted into PDL format therefore retaining the attributes of the formatting inputs)**.

22. In regards to claim 28, Mukai, as modified by Takahashi, teaches wherein page description language **(Mukai: Col. 8, Lines 14-37; Col. 9, Lines 31-44; formatting inputs are placed onto the scanned document which is then converted into PDL format therefore retaining the attributes of the formatting inputs)** indicating the page size, the page margins, and the page orientation **(Takahashi: Col. 14, Line 38 to Col. 15, Line 31)** that is transmitted is identical to that which would have been obtained if the original operation was a copy job instead of a scan job **(Since operations are used that can be considered to be from a copy job that outputs a hardcopy or a "scan" job that outputs an electronic file instead of a hard copy, the setting information between the two operations for the settings in question will be the**

**same, the Applicant is invited to further explain the differences between a scan and a copy job as to possibly read over the cited prior art and current interpretation by the Examiner)**.

**23. Claims 29 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mukai (US 6,466,329 B1) in view of Takahashi et al. (US 6,424,429 B1) and Bonk et al. (US 5,493,634), as applied to claim 28, further in view of Ferlitsch (US 2003/0007177 A1).**

24. Regarding claim 29, Ferlisch teaches wherein the scanned image data comprises a TIFF or JFIF file format **([0028], scanned image data as TIFF data that is further manipulated to perform tasks such as cropping, zooming, rotating, compressing, color adjusting and diffusing)**.

Mukai, as modified by Takahashi, contains a "base" process that digitally scans images into a system for use in subsequent image processing which the claimed invention can be seen as an "improvement" by scanning the input images as TIFF or JFIF file formats. Ferlitsch teaches a known technique of scanning input images as TIFF formatted images that is applicable to the "base" process of Mukai, as modified by Takahashi. One of ordinary skill in the art would have recognized that by applying the known technique of Ferlitsch to the encapsulation of an input image into digital image data as taught by Mukai, as modified by Takahashi, would have yielded predictable results and would have resulted in an improved system. Improvements to the system

include the ability to more easily perform subsequent image manipulation operations to the digital image data **(Ferlitsch: [0028]-[0030])**.

Therefore, the claimed subject matter would have been obvious to a person having ordinary skill in the art at the time the invention was made. *See MPEP* §§ 2141 & 2143.

25. Regarding claim 30, Takahashi teaches wherein the page description language further comprises duplex printing properties **(Figs. 10, 11 and 24, double-sided)**, number of copies **(Figs. 10, 11 and 24, number of copies)** and finishing properties that have no effect on the view of the document **(Figs. 10, 11 and 24, selected paper, integration, print, etc...)**.

### *Response to Arguments*

26. Applicant's arguments filed on 11/4/10 have been fully considered but they are not persuasive.

27. The applicant relies upon two paragraphs ([74] and [75]) of the instant specification in order to lend support to the currently amended, pending claims of the instant application.

> [74] Initially, the image data (e.g., TIFF, JFIF) is encapsulated in a page description language format 824, as discussed above. The properties specified in the image attribute component of the image data reflect the properties prescribed and/or determined by the scanning operation, such as the image resolution, image size, and compression.

> [75] Next, and as shown in FIG. 9, the page properties of the pages containing the scanned image data reflect the document/page layout properties according to the default device settings 368 (e.g., page size, page orientation, n-up, duplex, etc.). Finally, the page properties may be further modified to reflect document/page layout options specified by the user at the front panel interface 828, or other input such as a web page.

The Examiner does not dispute that the amended claim language is supported by the cited paragraphs above. The Examiner does dispute, however, the Applicant's interpretation of the cited paragraphs in combination with the amended claim language. Paragraph 74 can be said to describe “capture” properties of the system, while paragraph 75 can be designated as “layout” properties of the captured image within the system. There is no evidence that the encapsulation of the input image into PDL is performed in two distinct steps. The capture and layout properties may be able to be applied to the encapsulation of the input image at the same time. Further, the Applicant states multiple times that “the scanned image data is encapsulated according to the properties of the scanner and then such properties are changed, as necessary, based upon user inputs received from the copy buttons.” The Examiner disagrees with this statement based on the actual text of paragraphs [74] and [75]. There is no suggestion or evidence within the disclosure that the capture properties are modified by the layout properties. The instant disclosure seems to make clear that the capture properties (i.e. resolution, compression, etc…) are directed to the scanner and the layout properties are used to modify how the image that is captured from the scanner appears (i.e. margins, orientation, etc...).

Therefore, the cited disclosure doesn't support the Applicant's arguments pertaining to the two-step process where the image is encapsulated into a PDL using

properties of the scanner and then the scanner properties are modified (after the initial PDL encapsulation) based upon user inputs received from "copy commands" to create a final output encapsulated PDL. *See* Instant Response, pages 10-12. The encapsulating – into digital data – operation of the scanner is inherent in all scanners where an image is captured according to a certain compression, resolution and size. The scanner encapsulation can be thought of as the initial step in the overall encapsulation of the captured image data into a PDL file. The modification of properties of the PDL occurs during the same overall PDL encapsulation process as the initial scanner encapsulation. As such, it can be said that there are two sub-steps to the overall step of encapsulating the image data into a PDL output. Therefore, the scanner encapsulation and the PDL property modification are part of the same process of encapsulating the image data into a PDL file.

Therefore, the cited prior art teaches the capturing of an image using image capture settings and the framing of the captured image into a PDL file using image layout settings.

28. On page 10 of the instant response, the Applicant states, "there is no teaching in Mukai that a scan job may be 'modified' by encapsulating it with data received from user inputs." Further, the Applicant points to the fact that the word "scanning" is not mentioned in the list of functions (copying, printing, facsimile, and document filing) that may receive delineated user inputs as evidence that Mukai does not teach user input for settings of scanning operations. The Examiner disagrees with this assertion by the

Applicant. The Examiner notes that Mukai teaches at least utilizing enlargement/reduction formatting inputs to convert an input image into PDL. Further, Takahashi teaches the use of margin, size and orientation settings for a copier – which performs "scan" jobs using a scanner – and can be considered settings for scanning operations. Takahashi also teaches the usage of user adjustable setting for jobs that can set the type of document and copy density of the document that are considered user adjustable scanner functions (i.e. scanner input quality). *See* Takahashi at Figs. 10, 11 and 24.

29. The Applicant also continues to rely heavily upon the argument that "copy controls" are somehow different from controls for a scanning operation, or other such image forming operations. The Applicant states in claim 1 that, "the copy function options control[] the page orientation, page margins, and page size of the scan job." Therefore, the Examiner will interpret the function options to consist of orientation margin and size settings, regardless of what the function options are labeled as in the Applicant's arguments. Simply because the various options are given the name "copy function options" does not limit their use to only copying operations. Further, it must be said once again that copy operations contain scanning steps and therefore many aspects a copying operation and a scanning operation are similar or identical.

In conclusion, if the Applicant wants to rely upon the label of "copy function options" as distinguishing over the cited prior art, the Applicant should explicitly define the scope of the label and how it applied to the claimed invention. As such, the

rejections regarding the limitation of the “copy function options” stands as previously presented.

## *Conclusion*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JAVIER J. RAMOS whose telephone number is (571) 270-3947. The examiner can normally be reached on Monday to Friday - 9 am to 5 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner’s supervisor, King Y. Poon can be reached on (571) 272-7440. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/King Y. Poon/
Supervisory Patent Examiner, Art Unit 2625

/Javier J Ramos/
Examiner, Art Unit 2625